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PATENT
Customer No. 22,852
Attorney Docket No. 08513.7030-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Ho et al.) Group Art Unit: 1714
)
Application No.: 09/743,621) Examiner: Edward J. Cain
)
Filed: April 9, 2001)
)
For: OPTICAL DEVICES)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed is the following:

Information Disclosure Statement and

PTO Form 1449 with copy of cited references.

If there is any fee due in connection with the filing of these documents, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: *April 6, 2004*

By: *Therese Hendricks*
Therese Hendricks
Reg. No. 30.389



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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Certification: The document listed in this Information Disclosure Statement, an **English language translation** of DE-19540623, was received by Applicant on March 16, 2004. The German language document (DE-19540623) was first cited in a communication from the European Patent Office (as reference D3) in a counterpart foreign application (EP 99 933 046.7; Office Action of April 22, 2002, enclosed). Applicant cited the German language document (DE-19540623) in an Information Disclosure Statement filed June 5, 2002; an English language translation was not available at that time. Applicants have just received, on March 16, 2004, the attached English language translation. Applicant continues to believe, based on the present translation, that the present U.S. claims are patentable thereover.

A copy of the English translation is now enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.


Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated:

April 6, 2004

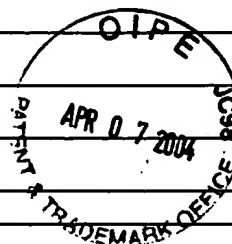
By:



Therese Hendricks
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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08513.7030-00000	Appln. No.	09/743,621
Applicant	Ho et al.		
Filing Date	April 9, 2001	Group:	1714



U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
19540623		Germany			English language translation

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	EPO Examination report in corresponding EP Application 99 933 046.7, 22 April 2002.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce